



# Housing Act 2004

## 2004 CHAPTER 34

### PART 1

#### HOUSING CONDITIONS

#### CHAPTER 2

#### IMPROVEMENT NOTICES, PROHIBITION ORDERS AND HAZARD AWARENESS NOTICES

##### *Hazard awareness notices*

#### **29 Hazard awareness notices relating to category 2 hazards: power of authority to serve notice**

- (1) If—
  - (a) the local housing authority are satisfied that a category 2 hazard exists on any residential premises, and
  - (b) no management order is in force in relation to the premises under Chapter 1 or 2 of Part 4,the authority may serve a hazard awareness notice under this section in respect of the hazard.
- (2) A hazard awareness notice under this section is a notice advising the person on whom it is served of the existence of a category 2 hazard on the residential premises concerned which arises as a result of a deficiency on the premises in respect of which the notice is served.
- (3) Subsections (3) and (4) of section 28 apply to a hazard awareness notice under this section as they apply to one under that section.
- (4) A notice under this section may relate to more than one category 2 hazard on the same premises or in the same building containing one or more flats.

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*Status: This is the original version (as it was originally enacted).*

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- (5) A notice under this section must specify, in relation to the hazard (or each of the hazards) to which it relates—
- (a) the nature of the hazard and the residential premises on which it exists,
  - (b) the deficiency giving rise to the hazard,
  - (c) the premises on which the deficiency exists,
  - (d) the authority’s reasons for deciding to serve the notice, including their reasons for deciding that serving the notice is the most appropriate course of action, and
  - (e) details of the remedial action (if any) which the authority consider that it would be practicable and appropriate to take in relation to the hazard.
- (6) A notice under this section may be combined in one document with a notice under section 28 where they are served in respect of the same premises.
- (7) Part 1 of Schedule 1 (which relates to the service of improvement notices and copies of such notices) applies to a notice under this section as if it were an improvement notice.
- (8) For that purpose, any reference in that Part of that Schedule to “the specified premises” is, in relation to a hazard awareness notice under this section, a reference to the premises specified under subsection (5)(c).